

PATRICK W. EMERY, ESQ., SB #061050
ABBEY, WEITZENBERG, WARREN & EMERY, P.C.
100 Stony Point Road, Suite 200 (95401)
P.O. Box 1566
Santa Rosa, CA 95402-1566
Telephone: 707-542-5050
Facsimile: 707-542-2589

BRETT EMISON, ESQ., *Pro Hac Vice*
ADAM W. GRAVES, ESQ., *Pro Hac Vice*
PHYLLIS A. NORMAN, ESQ., *Pro Hac Vice*
LANGDON & EMISON
911 Main Street
P.O. Box 220
Lexington, MO 64067
Telephone: 660-259-6175
Facsimile: 660-259-4571

ERIC L. DIRKS, ESQ., *Pro Hac Vice*
WILLIAMS DIRKS DAMERON, LLC
1100 Main Street, Suite 2600
Kansas City, MO 64105
Telephone: 816-876-2600
Facsimile: 816-221-8763

ATTORNEYS FOR PLAINTIFF

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THOMAS HAGEDORN, on behalf of
himself and all others similarly situated,

Plaintiff,

v.

NEST LABS, INC.,

Defendant.

Case No. 3:14-cv-00755-VC

**STIPULATION TO EXTEND BRIEFING
DEADLINE AND [PROPOSED] ORDER**

Date: July 10, 2014
Time: 10:30 a.m.
Place: Courtroom 4, 17th Floor
Judge: Hon. Vince Chhabria

Complaint Filed: February 19, 2014

1 Plaintiff Thomas Hagedorn ("Hagedorn") and Defendant Nest Labs, Inc. ("Nest"), by and
2 through their counsel, hereby jointly stipulate as follows:

- 3 1. Defendant filed a Motion to Dismiss on May 16, 2014 and noticed it for hearing on
4 July 10, 2014. Dkt. 30;
- 5 2. Pursuant to local rule, Plaintiff's Response to Defendant's Motion to Dismiss will be
6 due on Friday, May 30, 2014;
- 7 3. Plaintiff's counsel has previous commitments in the two weeks following Defendant's
8 submission of Defendant's Motion to Dismiss and requests an additional two weeks to
9 file a response to Defendant's Motion to Dismiss;

10 Because of these time constraints, the parties stipulate and agree that Plaintiff shall
11 have an additional two weeks, or until June 16, 2014, to file his Opposition to
12 Defendant's Motion to Dismiss. The parties further stipulate and agree that
13 Defendant's Reply will be due on June 26, 2014.

- 14 4. This is the same proposed briefing schedule that the parties included in their Case
15 Management Statement.

16 **IT IS SO STIPULATED.**

17 WILLIAMS DIRKS DAMERON LLC

18
19 Dated: May 16, 2014

By: /s/ Eric Dirks

ERIC L. DIRKS

20 Attorneys for Plaintiff
21 Thomas Hagedorn

22
23 Dated: May 16, 2014

KEKER & VAN NEST LLP

24 By: /s/ Simona A. Agnolucci

25 BENEDICT Y. HUR
26 SIMONA A. AGNOLUCCI

27 Attorneys for Defendant
28 NEST LABS, INC.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ATTESTATION

Pursuant to Civil Local Rule 5-1(i)(3) regarding signatures, I attest that concurrence in the filing of this document has been obtained from the other signatories.

Dated: May 16, 2014

/s/ Eric Dirks
Eric Dirks

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____

Honorable Vince Chhabria
Judge, United States District Court